

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:94CR147

UNITED STATES)
)
)
vs.) ORDER
)
)
TOM AARON TATE)
)

)

This matter is before the Court upon the *pro se* defendant's motion to reconsider the judgment, which the Court has referred to as a "Holloway request." The Court directed the government to respond to this motion and on April 12, 2016, the government filed a response indicating that it had no objection to the equitable relief requested by Mr. Tate given the unique facts and circumstances of this case.

Based upon the concurrence of the government, the Court hereby reopens Mr. Tate's case for the purpose of vacating the four § 924(c) convictions. This reduces Mr. Tate's sentence to 188 months incarceration. As Mr. Tate has already served over twenty years, he is eligible for release. The Court therefore resentences Mr. Tate to time served plus ten days.

IT IS SO ORDERED.

Signed: April 14, 2016



Graham C. Mullen
United States District Judge

